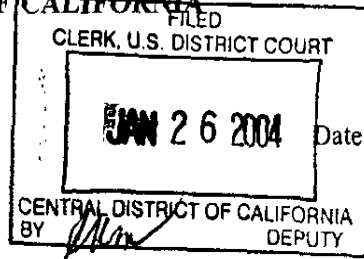


UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

TO: Clerk, United States District Court

Attention: Ellen Matheson
Deputy ClerkSUBJECT: REQUEST FOR CALENDAR DATE

JAN 23 2004

NAME

BENGA AKKANI OYENIRAN

DOCKET NO.

SACR01-00046-AHS

BOOKING NO.

16658-112

DATE IN LOCAL CUSTODY

01/15/04

DEFENSE ATTORNEY*

TELEPHONE NO.

~~ALEX R. KESSEL~~, Retained
Kelly Lane Munoz, DFPD
(818) 995-1422 714-338-4500

*As Shown on Judgment

Please calendar the above-named defendant for a preliminary revocation of supervised release hearing during the week of 02/09/04.
The defendant was taken into local custody and the issuance of a Writ is not required.

Interpreter Needed? ☐ Yes ☒ No

Wendy J. Shork
WENDY J. SHORK (714) 338-2943
U. S. PROBATION OFFICER

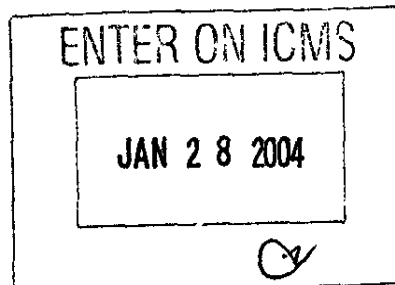
Christina T. Quan
CHRISTINA T. QUAN (714) 338-2905
SUPERVISING PROBATION OFFICER

FAX NO. (714) 338-2904

Routing of Request: Orig to Clerk's Office Copies to: U. S. Attorney (Chief, Criminal Division)
Federal Public Defender (Chief Deputy)

FOR CLERK'S USE ONLY

PLEASE TAKE NOTICE that the above-named defendant has been calendared for hearing before the
Honorable ALICEMARIE H. STOTLER, U. S. District Judge, on February 9, 2004 at 3:30 a.m./p.m. in
Courtroom No. 10A

Date JAN 26 2004

CLERK, U. S. DISTRICT COURT
By Ellen Matheson
Deputy Clerk

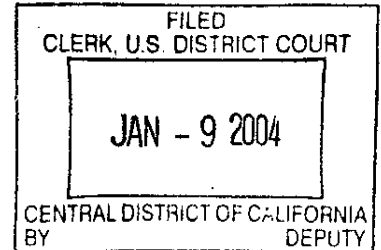
Routing of Notice by Clerk: Original - Court File
cc: U. S. Probation Officer
U. S. Attorney, Attn: Chief, Criminal Division
Defense Attorney
Federal Public Defender, Attn: Chief Deputy
U. S. Marshal (Warrant Cases only)
Interpreter Section, Clerk's Office (When needed)

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PROB 12
(Rev. 3/88)

United States District Court

for
CENTRAL DISTRICT OF CALIFORNIA



U.S.A. VS. BENGAKKANI OYENIRAN

Docket No. SACR01-00046-AHS

Petition on Probation and Supervised Release (Bench Warrant)

COMES NOW ROBERT M. LATTA, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of BENGAKKANI OYENIRAN who was placed on supervision by the Honorable ALICEMARIE H. STOTLER sitting in the Court at Santa Ana, on the 29th day of October, 2001, who fixed the period of supervision at five years, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

(SEE ATTACHED COPY/COPIES OF JUDGMENT AND PROBATIONARY ORDER/ORDERS.)

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach.)

It is alleged that the above-named supervised releasee has violated the terms and conditions of supervision to wit:

1. Having been ordered by the Court to comply with the rules and regulations of the Immigration and Naturalization Service, and to report within 72 hours of release from any custody or any reentry into the United States during the period of Court-ordered supervision, on or before November 20, 2003, Benga Akkani Oyeniran failed to report to the United States Probation Office after reentering the United States.

2. Having been ordered by the Court not to obtain or possess any driver's license, Social Security number, birth certificate, passport or any other form of identification in any name, other than his true legal name, on November 20, 2003, Benga Akkani Oyeniran was in possession of an Ohio Driver's License in the name of Timothy Olu Abraham, a Sears MasterCard in the name of Pedro R. Garcia, a Sears MasterCard in the name of Leann S. Baptista, and a Bank of America Visa card in the name of Donald L. Boring. Benga Akkani Oyeniran also possessed a computer printout containing the names, Social Security numbers, dates of birth, telephone numbers, and addresses of four individuals.

PRAYING THAT THE COURT WILL ORDER the issuance of a bench warrant addressed to any United States Marshal or any other authorized officer within the United States of America, requiring the detention and return of Benga Akkani Oyeniran before the United States District Court at Santa Ana, California, to show cause why the supervision order, heretofore entered, should not be revoked.

ORDER OF COURT

Considered and ordered this 9th day of January, 2004 and ordered filed and made a part of the records in the above case.

ALICEMARIE H. STOTLER

United States District Judge
ALICEMARIE H. STOTLER

Respectfully,

Wendy J. Shorr
WENDY J. SHORR

U. S. Probation Officer

Place SANTA ANA, CA

Approved: *Christina T. Quan*
CHRISTINA T. QUAN

Supervising U. S. Probation Officer

Date January 8, 2004

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
PROBATION OFFICE

ROBERT M. LATTA
CHIEF PROBATION OFFICER

January 8, 2004

600 U. S. COURT HOUSE
312 N. SPRING STREET
LOS ANGELES 90012-4708

PLEASE REPLY TO:
RONALD REAGAN FEDERAL BUILDING
AND UNITED STATES COURTHOUSE
411 W. FOURTH STREET, STE. 4170
SANTA ANA, CA 92701-4597

Honorable Alicemarie H. Stotler
United States District Judge
United States Court House
Santa Ana, California 92701

Re: OYENIRAN, Benga Akkani
Docket No. SACR01-00046-AHS

Dear Judge Stotler:

The purpose of this letter is to report violations of supervised release and to recommend that the Court issue a warrant for Mr. Benga Akkani Oyeniran.

On October 29, 2001, Mr. Oyeniran was sentenced following his plea of guilty to a violation of 18 USC 1542: False statement in a Passport application as charged in a Single-Count Indictment and a violation of 18 USC 641: Concealing stolen property of the United States as charged in the Single-Count First Supplemental Information. Mr. Oyeniran was sentenced to 24 months custody, which consisted of 24 months on each count, to be served concurrently. Upon release from imprisonment, the defendant was placed on supervised release for a term of five years, consisting of five years on Count 1 of the Indictment and three years on Count 1 of the First Supplemental Information, all such terms to run concurrently under the following terms and conditions: 1) The defendant shall comply with the rules and regulations of the U. S. Probation Office and General Order 318; 2) During the period of community supervision, the defendant shall pay the special assessment and the fine in accordance with this Judgment; 3) The defendant shall comply with the rules and regulations of the Immigration and Naturalization Service (INS), and if deported from this country, either voluntarily or involuntarily, not re-enter the United States illegally. Defendant is not required to report to the Probation Office while residing outside of the United States; however, within 72 hours of release from any custody or any reentry into the United States during the period of Court-ordered supervision, defendant shall report for instructions to the U. S. Probation Office, located at United States Courthouse, 411 West Fourth Street, Suite 4170, Santa Ana, California 92701-4516;

4) Defendant shall truthfully and timely file and pay taxes owed for the years of conviction and shall truthfully and timely pay taxes during the period of community supervision. Further, the defendant shall show proof to the Probation Officer of compliance with this order; and, 5) The defendant shall not obtain or possess any driver's license, Social Security number, birth certificate, passport or any other form of identification in any name other than his true legal name, without prior written approval of the Probation Officer; further, the defendant shall not use, for any purpose or in any manner, any name other than his true legal name. A special assessment of \$150 was ordered to be due immediately. A fine of \$5,000 was ordered to be paid in full no later than December 10, 2001. Mr. Oyeniran paid \$25 toward the special assessment fee while in custody, but no payment has been made toward the fine.

According to records from the Bureau of Prisons, Mr. Oyeniran was released from the Eden Detention Center on December 13, 2002, to the custody of the INS. As verified with INS, now known as Bureau of Immigration Customs Enforcement (BICE), Mr. Oyeniran was deported to Nigeria on February 12, 2003.

On November 20, 2003, the Los Angeles Division of the United States Postal Inspection Service Credit Card Team, acting on information received from the Portland Domicile, arrested Mr. Oyeniran for illegal reentry into the United States. According to the United States Postal Inspection Service, on November 7, 2003, the Portland Domicile External Crimes Team provided information that Dell computers were being purchased using fraudulently obtained victim information. Follow-up investigation revealed that the suspect was receiving the fraudulently ordered computers at various locations in Vancouver, Washington, and re-shipping them to a personal mail box located at 10321 National Boulevard, #M-12, Los Angeles, California 90034. A subsequent investigation conducted by the Los Angeles Division, revealed that Mr. Oyeniran was receiving the computers as well as other mail shipments at this location, in the name of Ben Oye and the business name of Ajasco Electronics.

On November 20, 2003, United States Postal Inspection agents learned that a Federal Express letter package had been received at the postal location. Mr. Oyeniran was subsequently arrested for illegal re-entry into the United States at the request of BICE after he picked up the Federal Express package. Incident to arrest, the Federal Express package was searched, which resulted in the seizure of a \$100 postal money order purchased in Portland, Oregon; a Sears MasterCard in the name of Pedro R. Garcia, 11124 Northeast Halsey Street, #637, Portland, Oregon 97220; a Sears MasterCard in the name of Leann S. Baptista, 465 NE 181 Avenue,

#169, Portland, Oregon 97230; a Bank of America Visa card in the name of Donald L. Boring, 11124 NE Halsey Street; #637, Portland, Oregon 97220; a business check drawn on the account of Yellow-Page.Net, 806 Buchanan, #115-250, Boulder City, Nevada 89005, paid to the order of Ajasco Electronics in the amount of \$3.50; and an invoice from Dell Financial Services in the name of Bada Electronics, Michael Metzler, 464 NE 181 Street, #276, Portland, Oregon 97230.


Additionally, a search of Mr. Oyeniran's vehicle resulted in the seizure of his wallet, which contained a fraudulent Ohio Driver's License in the name of Timothy Olu Abraham; a computer printout containing the names, Social Security numbers, dates of birth, telephone numbers and addresses of four individuals; and a piece of paper with the address of 11124 N.E. Halsey, #637, Portland, Oregon 97220, the postal address of where two of the fraudulently obtained credit cards were mailed.

Mr. Oyeniran currently remains in BICE custody pending deportation. According to the Postal Inspection Agent, prosecution has been declined by the United States Attorney's Office in Los Angeles for illegal re-entry into the United States and possession of fraudulently obtained access cards, as it did not meet their criteria for prosecution. State charges are still being considered for various offenses surrounding the false credit cards, driver's license and identity theft, but did not appear promising given his immigration status and will most likely be deferred in light of the pending supervised release violations.

Based on the above, it appears Mr. Oyeniran is in violation of the conditions of supervision. It is recommended that a warrant be issued for his arrest, so that he may be returned to the Court to answer to the allegations as contained in the attached Petition.

Respectfully,

ROBERT M. LATTA
Chief U. S. Probation Officer


WENDY J. SHORR
U. S. Probation Officer
Telephone No. (714) 338-2943


Supv. PO QUAN, (714) 338-2905

WJS:dlh